

MIP

FILED

07 NOV 25 AM SP 18

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Mag. Case Number: <u>07 MJ 2731</u>
)	<u>COMPLAINT FOR VIOLATION OF</u>
)	Title 21, U.S.C., Sections 952 and 960
)	Importation of a Controlled Substance
RICO, Maria)	
)	
Defendant,)	
)	

The undersigned complaint being duly sworn states:

On or about November 22, 2007, within the Southern District of California, Maria RICO did intentionally import approximately 27.15 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 Robert Sanchez
 Special Agent,
 IMMIGRATION AND CUSTOMS
 ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th DAY OF NOVEMBER, 2007.


 MAGISTRATE JUDGE

M 1P

PROBABLE CAUSE STATEMENT

I, Special Agent Robert Sanchez, declare under penalty of perjury, the following is true and correct:

On November 22, 2007 at approximately 09:30 hours, Maria RICO made entry into the United States via the San Ysidro, CA, Port of Entry as the driver of a white 2003 Dodge Durango bearing CAUS/5KSX849. RICO, using a Secure Electronic Network for Travelers Rapid Inspection lane (SENTRI), and the Durango were the subjects of a pre-primary canine alert. RICO presented a valid U.S. passport for identification and gave a negative Customs declaration to CBP Officers. During questioning RICO added that she lived in Mexico and was going shopping for Thanksgiving. A cursory inspection of the vehicle's passenger side front door revealed a blocked shaped package concealed within. RICO was handcuffed for Officer Safety and escorted on foot to the Security office. The vehicle was driven to the Secondary lot for further inspection.

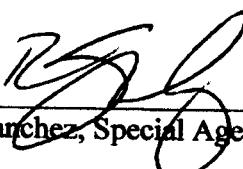
In the Secondary Inspection, Officers discovered packages concealed within all four doors and the tailgate panel. One package was probed, which produced a green leafy substance that field tested positive for marijuana. A total of 12 packages were removed from all four doors plus the tailgate panel, which had a net weight of 27.15 kilograms.

U.S. Immigration and Customs Enforcement (ICE) Special Agents read RICO her Miranda Rights. RICO stated she understood his Rights and was willing to answer questions.

In substance, RICO stated that a Hispanic male, Victor LOPEZ, that she met five weeks ago in Tijuana, had offered to help her with her poor economic situation. RICO said that Victor took her vehicle yesterday for approximately two hours and informed her that he was putting something inside that she would then drive across the border. RICO was to be paid \$500 dollars. She stated that she did not know what was inside her car, whether it was marijuana or cocaine, she was not told. RICO added that she thought her destination was to be a Trolley Station near the border but was unsure, she was to be contacted via cell phone and given a location. Rico said that an unknown male would give her his vehicle and personal description before approaching her then pay her \$500 dollars while taking her vehicle for a couple of hours.

RICO was arrested and transported to the Metropolitan Correctional Center, San Diego, CA.

Executed on November 23, 2007


Robert Sanchez, Special Agent ICE

MIP

U.S. ICE
Page 1 of 2

U.S. vs RICO

U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on November 22, 2007 in violation of Title 21, United States Code, Section(s) 952 & 960.

United States Magistrate Judge

Date/Time